

**Senate File 338 - Introduced**

SENATE FILE 338  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 1123)

**A BILL FOR**

1 An Act providing for charitable food donations to food banks  
2 and similar organizations, and providing for appropriations.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 190D.1 Definitions.

2 As used in this chapter, unless the context otherwise  
3 requires:

4 1. "*Department*" means the department of human services.

5 2. "*Federal emergency food assistance program*" means the  
6 federal emergency food assistance program, as provided in 7  
7 C.F.R. pts. 250 and 251.

8 3. "*Food*" means a substance which is used in whole or in  
9 part for human consumption in compliance with federal and state  
10 standards or requirements, including a donated food that meets  
11 the requirements of the federal emergency food assistance  
12 program.

13 4. "*Iowa emergency feeding organization*" means a public or  
14 private nonprofit organization whose mission is compatible with  
15 the purpose of this chapter as provided in section 190D.3 and  
16 which includes an Iowa food bank or other organization that  
17 operates at a congregate nutritional site or that provides  
18 home-delivered meals in this state. An Iowa emergency feeding  
19 organization includes but is not limited to a food pantry,  
20 hunger relief center, or soup kitchen.

21 5. "*Iowa food bank*" means a private nonprofit organization  
22 that meets all of the following requirements:

23 a. It receives, holds, and directly or indirectly  
24 distributes food principally to Iowa emergency feeding  
25 organizations in a manner compatible with the purpose of this  
26 chapter as provided in section 190D.3.

27 b. It is an organization described in section 501(c)(3)  
28 of the Internal Revenue Code and exempt from taxation under  
29 section 501(a) of the Internal Revenue Code.

30 c. It receives contributions that are deductible under  
31 section 170 of the Internal Revenue Code.

32 6. "*Iowa food bank association*" or "*association*" means an  
33 organization that meets all of the following requirements:

34 a. It is organized as a nonprofit corporation under chapter  
35 504.

1     *b.* Its principal office is or has been located in this  
2 state.

3     *c.* It is an organization described in section 501(c)(3)  
4 of the Internal Revenue Code and exempt from taxation under  
5 section 501(a) of the Internal Revenue Code.

6     *d.* It receives contributions that are deductible under  
7 section 170 of the Internal Revenue Code.

8     *e.* Its members include Iowa food banks, or affiliations  
9 of Iowa food banks, that together serve all counties in this  
10 state.

11     Sec. 2. NEW SECTION. 190D.2 Department of human services  
12 — administration.

13     1. This chapter shall be administered by the department of  
14 human services.

15     2. The department shall adopt all rules necessary to  
16 administer this chapter.

17     Sec. 3. NEW SECTION. 190D.3 Iowa emergency food purchase  
18 program — purpose.

19     1. An Iowa emergency food purchase program is established in  
20 the department. The purpose of the program is to effectively  
21 and efficiently utilize Iowa's abundant supplies of nutritional  
22 food to relieve situations of emergency experienced by  
23 individuals or families in need who reside in this state,  
24 including low-income individuals or families and unemployed  
25 individuals or families.

26     2. To the extent moneys are available, the department shall  
27 execute a contract with the association to provide for the  
28 terms and conditions of the program's management. A contract  
29 shall not obligate the state to pay moneys for multiple fiscal  
30 years.

31     Sec. 4. APPROPRIATIONS — IOWA EMERGENCY FOOD PURCHASE  
32 PROGRAM.

33     1. There is appropriated from the general fund of the  
34 state to the department of human services for the fiscal year  
35 beginning July 1, 2015, and ending June 30, 2016, the following

1 amount, or so much thereof as is necessary, to be used for the  
2 purposes designated:

3 a. For purposes of supporting the Iowa emergency food  
4 purchase program established in chapter 190D, as enacted in  
5 this Act:

6 ..... \$ 2,000,000

7 b. The moneys appropriated in paragraph "a" shall be  
8 allocated only to the extent that the allocated moneys are  
9 matched on a dollar-for-dollar basis with moneys contributed by  
10 the federal government, a local government, or private source  
11 in the form of cash or in-kind resources.

12 2. The department shall allocate the amount appropriated in  
13 subsection 1 to an Iowa food bank association selected by the  
14 department as provided in section 190D.3, as enacted in this  
15 Act, to manage the Iowa emergency food purchase program.

16 a. The moneys shall be used exclusively to do any of the  
17 following:

18 (1) Purchase food on behalf of an Iowa emergency feeding  
19 organization.

20 (2) Distribution to an Iowa emergency feeding organization  
21 for the purchase of food.

22 b. The moneys shall be used in accordance with all of the  
23 following:

24 (1) A preference shall be provided to the purchase of food  
25 produced, processed, or packaged within this state whenever  
26 reasonably practicable.

27 (2) The food shall be purchased in a manner that best  
28 furthers a significant economic benefit to communities of this  
29 state.

30 3. Notwithstanding section 8.33, moneys appropriated in  
31 this section shall not revert but shall remain available for  
32 expenditure for the purposes designated until the close of the  
33 fiscal year beginning July 1, 2017.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1           the explanation's substance by the members of the general assembly.

2       This bill creates an Iowa emergency food purchase program  
3 within the department of human services and managed by an Iowa  
4 food bank association selected by the department to relieve  
5 situations of emergency experienced by individuals or families  
6 in need who reside in this state.

7       The bill appropriates moneys from the general fund to  
8 the department for the 2015-2016 fiscal year in order to  
9 support the program. The appropriation is to support the  
10 direct purchase of food on behalf of an Iowa emergency feeding  
11 organization or distribution of moneys to such organization  
12 for the purchase of food. The appropriated moneys must be  
13 allocated on a matching basis from moneys contributed by  
14 nonstate sources.